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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JOHN JORDAN,

11 Plaintiff,

No. CIV S-03-1820 LKK KJM P

12 vs.

13 CAL A. TERHUNE, et al.,

14 Defendants.

ORDER

15 \_\_\_\_\_/  
16 Plaintiff is a state prisoner proceeding pro se in this civil rights action for relief  
17 pursuant to 42 U.S.C. § 1983.

18 Plaintiff has filed a request for an extension of time to file a reply to defendants'  
19 answer. Rule 7 of the Federal Rules of Civil Procedure provides as follows:

20 There shall be a complaint and an answer; a reply to a counterclaim  
21 denominated as such; an answer to a cross-claim, if the answer contains a  
22 cross-claim; a third-party complaint, if a person who was not an original  
23 party is summoned under the provisions of Rule 14; and a third-party  
24 answer, if a third-party complaint is served. No other pleading shall be  
allowed, except that the court may order a reply to an answer or a third-  
party answer.

24 Fed. R. Civ. P. 7(a) (emphasis added). No answer filed in this matter includes a counterclaim.

25 The court has not ordered plaintiff to reply to defendants' answer and declines to make such an  
26 order.

Accordingly, IT IS HEREBY ORDERED that plaintiff's April 25, 2007 request  
for an extension of time is denied.

DATED: May 3, 2007.

  
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U.S. MAGISTRATE JUDGE

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